

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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PAULETTE VAUGHN and JOY VAUGHN,

Plaintiffs,

-against-

CONSUMER HOME MORTGAGE COMPANY, INC.,
MINDY S. ASHLEY, individually and in her capacity as a
substantial shareholder of CONSUMER HOME MORTGAGE
COMPANY, INC., THE FORECLOSURE NETWORK OF
METRO NEW YORK INC., MICHAEL ASHLEY, individually
and in his capacity as a substantial shareholder of CONSUMER
HOME MORTGAGE COMPANY, INC., ABN AMRO
MORTGAGE GROUP, INC., as assignee of and successor to
CONSUMER HOME MORTGAGE COMPANY, INC.,
ROBERT E. STANDFAST, MICHAEL PARKER, GARY
LEWIS, JAS LLC d/b/a THE FORECLOSURE NETWORK,
JILL SHARFF, JOSHUA SMILING, CHARLES SALVA
APPRAISALS, INC., CHARLES SALVA, MARTIN
SILVER, ESQ., ANN McGRANE, ESQ., KENNETH
GOLDEN, ESQ. AND UNITED STATES DEPARTMENT
OF HOUSING and URBAN DEVELOPMENT.

Civ. No.: 01-7937
(ILG) (MDG)

Defendants.
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**DEFENDANT MARTIN SILVER, ESQ.'S STATEMENT
PURSUANT TO LOCAL RULE 56.1(a)**

Defendant Martin Silver, Esq. ("Silver"), as and for his statement pursuant to
Local Rule 56.1(a), sets forth the following material facts as to which there are no genuine issues
to be tried:

1. Plaintiffs purchased 247 Cooper Street in Brooklyn, New York (the
"Premises"). *See* First Amended Verified Complaint at paragraph 5.

2. Ann McGrane, Esq. represented the plaintiffs at the time they executed the contract of sale and secured mortgage financing for the Premises. *See First Amended Verified Complaint at paragraphs 47 – 74.*

3. Silver first met and was retained by plaintiffs at the closing for 247 Cooper Street. *See transcript of deposition of Martin Silver, annexed hereto, at pp. 104-109.*

4. Plaintiffs did not make, nor have they ever made, any payments on the mortgage note they gave to Consumer Home Mortgage, Inc. *See transcript of plaintiff Joy Vaughn's deposition at pp. 67, 155; transcript of plaintiff Paulette Vaughn's deposition at p. 212.*

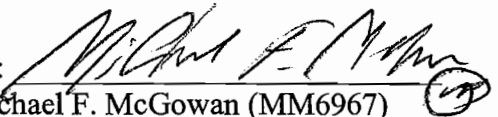
5. The mortgage note was sold/assigned by Consumer Home Mortgage to ABN AMRO Mortgage Group, Inc. *See First Amended Verified Complaint at paragraph 160; transcript of plaintiff Joy Vaughn's deposition at p. 68.*

6. ABN AMRO Mortgage Group, Inc. has since forgiven all of plaintiffs' obligations, past and future, on the mortgage note. *See transcript of plaintiff Joy Vaughn's deposition at p. 69.*

7. Plaintiffs did not suffer any pecuniary loss as a result of purchasing 247 Cooper Street and/or giving the mortgage note to Consumer Home Mortgage. *See transcripts of plaintiffs Joy and Paulette Vaughn's depositions, passim.*

Dated: New York, New York
August 2, 2005

BOUNDAS, SKARZYNSKI,
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Upon Information and Belief, Plaintiffs Have
Settled and/or Discontinued This Action as
to Consumer Home Mortgage, Inc., Michael Parker,
Michael Ashley, Mindy S. Ashley, Ann McGrane, and
ABN AMRO Mortgage Group, Inc.

Upon Information and Belief, JAS LLC, and Jill
Scharff Have Not Appeared In This Action